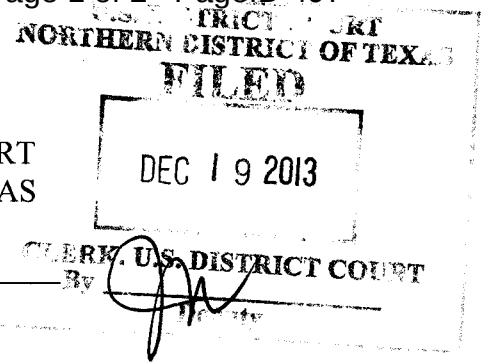


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



JIMMY F. McHENRY, PRO SE,
TDCJ-CID No. 1811322,
Previous TDCJ-CID No. 1060917,

Plaintiff,

v.

STINNETT POLICE DEPARTMENT ET AL.,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

2:13-CV-0228-J

ORDER DENYING PLAINTIFF'S MOTIONS TO COMPEL DISCOVERY

Before the Court for consideration are two Motions to Compel Discovery filed by plaintiff on December 18, 2013 in the above-referenced and numbered cause.

By these motions, plaintiff requests defendant SHERIFF GUY ROWH and defendant OFFICER DRENNAN ROGERS be compelled to respond to various requests for production plaintiff has served upon them.

On December 16, 2013 the Court granted a Protective Order to defendants DEPUTY CODY HINDERS, the STINNETT POLICE DEPARTMENT, OFFICER DRENNAN ROGERS, OFFICER PATRICK LAMBERT, OFFICER JEREMIAH JAMES MASSENGIL, and CHIEF MARIE FABRO. For the reasons set forth in the Order Granting Protective Order plaintiff's motion is DENIED with respect to defendant OFFICER DRENNAN ROGERS.

As to defendant SHERIFF GUY ROWH, although plaintiff says he has served this defendant, this defendant had not been served at the time of removal of this cause from state district court and no proof of service has been filed with this Court subsequent to removal. Moreover, SHERIFF GUY ROWH has not made an appearance before this Court. Therefore, it

does not appear this proposed defendant has been made a part of this suit. For this reason, plaintiff's motion is DENIED with respect to SHERIFF GUY ROWH.

IT IS SO ORDERED.

ENTERED this 19th day of December, 2013.


CLINTON E. AVERITTE
UNITED STATES MAGISTRATE JUDGE